

STATE OF NEW HAMPSHIRE INSURANCE DEPARTMENT

169 Manchester Street
Concord, NH 03301-5151

Charles N. Blossom
Insurance Commissioner

BULLETIN

Docket No. INS NO. 98-006-AB

TO: All Licensed Accident and Health Companies, Health Maintenance
Organizations and Non-Profit Health Service Corporations

FROM: Charles N. Blossom, Insurance Commissioner

DATE: March 17, 1998

RE: **Chapter 345, Laws of 1997 (SB 178-FN)**

The subject new law, effective January 1, 1998, added a new chapter to the New Hampshire Insurance Code, RSA 420-J, Managed Care Law. This chapter requires health carriers offering a managed care plan in this state to comply with a number of new requirements. One such requirement is that the health carrier establish written grievance procedures. These procedures must comply with the provisions of RSA 420-J:5. One of these provisions, RSA 420-J:5, II, requires health carriers to provide consumers with a description of the grievance procedure and to include this description in, or attached to, the policy, certificate, membership booklet or other evidence of coverage provided to covered persons.

The purpose of this bulletin is to offer guidance to health carriers as they develop language describing the grievance procedure that will appear in the health carrier's policy, certificate, membership booklet or other evidence of coverage provided to covered persons. When reviewing these descriptions, the New Hampshire Insurance Department will base its decision to approve or disapprove such description upon a determination that the health carrier included in its description, language sufficient to fully inform covered persons of the grievance procedures available to them.

The language of a description of the grievance procedure shall be considered sufficient for the above stated purpose if it contains language that is substantially equivalent to, and not less favorable to any covered person than, the following provisions of RSA 420-J:

1. RSA 420-J:5, II (b) and (d);
2. RSA 420-J:5, III (a);
3. RSA 420-J:5, IV (d);
4. RSA 420-J:5, V (a) and (b);
5. RSA 420-J:5, VI (a), (b), (c) and (e); and
6. RSA 420-J:5, VIII.

The required description of a carrier's grievance procedures is subject to the readability requirements of RSA 420-H.

This bulletin will be superseded by an administrative rule.

Health carriers with questions or comments regarding this bulletin are invited to contact Robert C. Warren, Jr., Director, Life, Accident and Health Insurance Division or Maureen H. Campbell, Senior Life and Health Insurance Examiner at: Telephone 603-271-2261 or Fax 603-271-1406.